

Miscellaneous Titling Information

Vehicle Identification Number and Odometer Verification Required With Out-Of- State Titles

Section 301.190, RSMo, provides that when an application is made for a Missouri certificate of title for a motor vehicle previously registered or titled in a state other than Missouri (or for a prior salvage vehicle being retained by the owner as provided in section 301.020, RSMo), the application shall be accompanied by a current inspection form certified by an authorized official inspection station. The inspection shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection must accompany the title application. If the vehicle is being registered, a current safety and emissions inspection (if applicable) must be submitted.

Tenants in Common/ Transfer on Death

Sections 301.679 to 301.681, RSMo; 306.458, RSMo; 306.461, RSMo and 700.630, RSMo provide that the purchaser of a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor may elect certain forms of ownership or may designate a beneficiary in case of death. These choices must be made at the time application for title is made as outlined below.

Tenants In Common (T/C)

Missouri law presumes that where more than one owner is shown on the title application, the motor vehicle, manufactured home, trailer, manufactured home, vessel (watercraft), or outboard motor will be held in joint tenancy unless otherwise specified. This means if one of the owners dies, the surviving owner(s) receives the unit upon proof of death. Persons who own the motor vehicle, trailer, manufactured home, vessel (watercraft) or outboard motor as joint tenants may also designate beneficiaries as outlined on page 7-2.

If motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor owners do not want their ownership as joint tenancy, they may designate the unit be held as "tenants in common." This means each owner owns an equal share of the unit and if one dies, the other owner(s) will still only own his or her share, while the deceased owner's share must transfer by Probate Court. **NO BENEFICIARIES MAY BE NAMED BY OWNERS AS TENANTS IN COMMON.** To designate ownership as tenants in common, the "T/C" block must be marked on the title application. The title will print with the "T/C" brand code.

Transfer On Death (TOD)

The owner(s) of a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor may designate one or more beneficiaries

Title Penalty Information

to receive the unit upon the death of all listed owners. The beneficiaries hold no ownership rights in the unit while the owner(s) is alive, but becomes the owner/co-owner of the unit after the original owner's death. If more than one person owns the unit, the beneficiaries do not become the owner until all listed owners have died.

To designate beneficiaries, the beneficiaries name(s) must appear to the right of the owner(s) name(s) in the space provided for TOD beneficiaries and the "TOD" block must be marked. One or more beneficiaries can be named. The letters "TOD" and the beneficiaries name(s) do not have to appear on the title assignment.

For the beneficiaries to obtain title to a motor vehicle, trailer, manufactured home, vessel (watercraft), or outboard motor, the beneficiaries must submit a completed and signed application for title, proof of death of all owners, the existing certificate of title designating the TOD beneficiary and the appropriate title and processing/agent fee.

NOTE: The beneficiaries may assign the title without first applying for a title in their name(s). The beneficiaries must provide the purchaser proof of death of the owner(s) on the face of the title, and the properly assigned title.

Motor Vehicle/Trailer/All-Terrain Vehicle/Manufactured Homes

Missouri law requires that applications for a certificate of title for a motor vehicle, trailer, manufactured home, or an ATV must be made within 30 days from the date of purchase.

If the purchaser does not apply for a certificate of title and pay all applicable taxes and fees within 30 days from the date of purchase, a delinquent title penalty fee of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed. Title penalties will be assessed on all manufactured homes purchased after December 18, 1983.

Vessel (Watercraft)/Outboard Motor

Missouri law requires that application for a certificate of title be made within 60 days after a vessel (watercraft) or outboard motor is purchased. (See Section 8 for units that must be titled.)

If the purchaser does not apply for a certificate of title and pay all applicable taxes and fees within 60 days from the date of purchase, a delinquent title penalty fee will be imposed as follows:

61 days to 90 days \$10.00

**Trade-ins,
Replacement
Vehicle/Total
Loss Tax
Credits,
Rebates, and
Discounts**

91 days to 120 days \$20.00
121 days and over \$30.00

\$30.00 is the maximum amount of penalty for a vessel (watercraft) or outboard motor.

All title penalties will be calculated based on the date of sale. The date of sale is the date on which a Manufacturer's Statement of Origin or certificate of ownership is assigned by the seller to the purchaser.

Missouri law allows certain tax credits on the purchase of a motor vehicle, trailer, vessel (watercraft), or outboard motor as outlined below:

Trade-In Credit: Any article of tangible personal property can be claimed as a trade-in allowance to a registered dealer; however, the amount allowed for the article traded in cannot exceed the true value of the article. When a motor vehicle, trailer, watercraft, or outboard motor is being used as a trade-in **tax** credit, the owner listed on the title for the unit being traded is not required to be the same as the owner of the unit being purchased.

Real property (land) does not qualify for a trade-in allowance.

Example:

An individual may purchase two vehicles from a dealer and trade in only one vehicle. The trade-in allowance for the one vehicle may be divided and credit applied to the purchase price of each vehicle provided the total trade-in allowance for the vehicle does not exceed the actual trade-in value. Similarly, an individual can trade in **more than one** vehicle.

The selling dealer must complete all trade-in information on the application for title before any credit will be allowed.

Replacement Vehicle Credit: The seller of a motor vehicle, trailer, vessel (watercraft), or outboard motor who purchases or contracts to purchase a subsequent unit may receive a tax credit if the subsequent unit is purchased or contracted to purchase within **180** days before or after the date the original unit is sold. The actual sale price of the unit will be deducted from the purchase price of the new unit for the purposes of calculating state/local taxes. The applicant must submit a bill of sale or notice of sale with the application for title to receive the tax credit.

The bill of sale/notice of sale is not required to be notarized to receive the vehicle sales tax credit.

The law DOES NOT restrict the tax credit to "exact or like" replacement

units, i.e., a motor vehicle for a motor vehicle, trailer for trailer, etc. Accordingly, an individual can sell a boat and buy a motor vehicle or trailer or vice versa and still qualify for the tax credit. The unit being purchased or contracted to purchase must be titled in at least one of the owners' names as the unit being replaced (or sold) to qualify for a tax credit.

Total Loss Credit: The purchaser of a motor vehicle, trailer, vessel (water- craft), or outboard motor may deduct the amount of a total loss claim settlement received from an insurance company plus the owner's deductible from the purchase price of another like unit that is purchased or contracted to purchase after the total loss occurs, but within **180** days before or after the date of the total loss claim settlement. The applicant must present a notarized statement from the insurance company indicating the year, make, and identification number of the "total loss" unit, the date the insurance company pays the settlement, the amount of the insurance settlement, and the amount of the insurance deductible, if applicable. If the insurance agent certifies that the information in the statement is true and accurate, the form does not have to be notarized.

The total loss statement can be in anyone's name; however, at least one of the owners of the total loss vehicle must be the same on the application for title on the newly acquired vehicle. Example: John and Jane Smith have a vehicle titled in their name that is declared a total loss. Brenda Smith insured the vehicle and receives a certified total loss claim from the insurance company. As long as John or Jane's name is listed as an owner/co-owner on the new vehicle, the total loss credit in Brenda's name may be used.

In addition, the owner of a motor vehicle, trailer, vessel (watercraft), or out- board motor, that was replaced because of theft or casualty loss, who does not have insurance coverage on the unit, may receive a tax credit on the fair market value of the unit being replaced. The applicant must present the original or copy of the accident report completed by law enforcement agent showing the year, make, and identification number of the total loss vehicle, and the date of accident or loss accompanied by two appraisals listing the fair market value of the total loss vehicle.

The fair market value of the unit is determined on the pre-wrecked condition of the vehicle based on the Kelly Blue Book, NADA Used Car Guide, Abos Blue Book, or the average of two appraisals from licensed motor vehicle or boat dealers. The fair market value is deducted from the purchase price of the replacement unit. The replacement unit must be purchased or contracted to purchase within 180 days after the date of loss as certified by a law enforcement agency on the accident report.

To receive a tax credit on a total loss vehicle, the vehicle being replaced must be a like unit, i.e., a motor vehicle must be replaced by a motor vehicle, a trailer replaced by a trailer, etc.

Rebates offered by a motor vehicle dealer or manufacturer may be used as a credit to reduce the amount of sales tax due by a purchaser when titling a motor vehicle. The selling dealer must complete all rebate information on the application for title before any credit will be allowed.

THE DEPARTMENT OF REVENUE HAS THE AUTHORITY TO REQUEST ADDITIONAL DOCUMENTATION FROM THE APPLICANT ANYTIME THE PURCHASE PRICE OF A VEHICLE IS QUESTIONABLE.

FARM PRODUCTS (I.E. GRAIN, LIVESTOCK, ETC.) USED AS TRADE-IN TAX CREDIT: Section 144.025, RSMo, provides that, "Any purchaser of a motor vehicle or trailer used for agricultural use by the purchaser shall be allowed to use as an allowance to offset the sales and use tax liability towards the purchase of the motor vehicle or trailer any grain or livestock produced or raised by the purchaser."

The department will allow a sales tax credit when grain or livestock raised or produced by the purchaser is traded for a vehicle purchased from a dealer for agricultural use. To receive this credit, the grain or livestock must be traded to the dealer within one week of the actual purchase date of the vehicle and the criteria below must be met.

1. The vehicle being purchased must be used for agricultural use.
2. The purchaser of the vehicle must have either raised or produced the agricultural product.
3. The purchaser must submit a *Bill of Transfer* (DOR-4606), in which the purchaser certifies the information noted above.

Note:

If the grain is stored at a grain elevator, a separate receipt from the grain company showing the dealership has title to the grain must accompany the bill of transfer. A statement or invoice from a grain company in the name of "CASH SALE" is not acceptable. A check made payable directly to the dealership by the grain company is not acceptable without the receipt from the grain elevator company showing the grain transferring to the dealership.

If the dealership physically accepts delivery of the agricultural product from the vehicle purchaser, a statement on the dealership's letterhead showing this information may be submitted in lieu of the *Bill of Transfer*.

Motor Vehicle/ Marinecraft Acquired by Gift

A gift statement must be submitted when a motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor is acquired by gift for the recipient to be exempt from sales tax. This statement must be signed by the donor(s) and indicate the complete description of the unit. **The donor must have paid taxes on the motor vehicle, trailer, all-terrain vehicle, vessel (watercraft), or outboard motor for the recipient of the unit to be tax exempt.**

Financial Responsibility

Section 303.026, RSMo requires motor vehicle owners, including motor vehicle dealers, to maintain financial responsibility for each motor vehicle registered and operated on the streets or highways. This includes vehicles held for resale.

Financial responsibility may be one of the following:

1. A motor vehicle liability insurance policy;
2. A self-insurance certificate issued by the Missouri Department of Revenue;
3. A surety bond, cash deposit or other type of securities filed with the department; or
4. A real estate bond filed with the department.

NOTE: For additional information regarding methods of proof of financial responsibility please contact the Missouri Department of Revenue, Driver and Vehicle Services Bureau, P.O. Box 200, Jefferson City, Missouri 65105-0200 or call (573) 751-4600 or your insurance agent or company.

No motor vehicle owner will be issued registration for a motor vehicle unless the owner, or his or her authorized agent, signs a statement provided by the department at the time of registration that certifies that he or she has, and will maintain, financial responsibility during the period of registration, for each motor vehicle that is owned, licensed or operated on the streets or highways of Missouri. The applicant must also show proof of financial responsibility at the time of registration by presenting his or her insurance card (a copy is acceptable) or other proof of financial responsibility.

Penalties for Failure to Maintain Financial Responsibility

If the department determines that you are at fault for damages or personal injuries in an accident, and do not have proof that you have made restitution for the damages or personal injuries in the accident, your driving and/or registra-

tion privileges will be suspended for one year.

If the department finds that you do not have liability insurance on your vehicle or the vehicle you are operating, your driver license and vehicle registration will be suspended as follows:

1. First Offense - Lose driver license and plates (eligible for reinstatement immediately), \$20 reinstatement fee, and three years filing of proof of financial responsibility;
2. Second Offense - 90-day suspension of driver license and plates, \$200 reinstatement fee, and three years filing of proof of financial responsibility; and
3. Third Offense - One year suspension of driver license and plates, \$400 reinstatement fee, and three years filing of proof of financial responsibility.

All-Terrain Vehicles

Missouri law provides that it shall be unlawful for any person to own an all-terrain vehicle in this state unless a Missouri certificate of title has been issued.

For the purposes of transferring ownership, titling, perfecting liens, and collecting taxes, fees, and other charges, all-terrain vehicles are treated the same as a motor vehicle.

Utility Vehicles

A "Utility vehicle" is "any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes."

- o Utility vehicles do not meet the definition of a motor vehicle or ATV, and will not be titled and registered. Examples of off-road utility vehicles include, but are not limited to: Minicab, Mule, Gator, Max/Buffalo, Etc.
- o Utility vehicles cannot be operated upon the highways of this state unless they are: Owned and operated by governmental entity for official use, Operated for agricultural or industrial on-premise purposes, or Operated by handicapped persons for short distances on secondary roads.

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- The operator must have a valid driver license, but does not have to be motorcycle qualified.
 - Cities/counties are allowed to issue special permits for utility vehicles to be used on county roads within the county or on highways within the city to licensed drivers for a fee of \$15. The fee is to be kept by such city/county.
 - The seller of a utility vehicle is responsible for collecting and remitting all applicable state and local tax on new utility vehicles.
 - Utility vehicle owners may qualify for a “farm use” tax exemption.

Perfecting Liens

Liens created on all-terrain vehicles should be perfected by filing a notice of lien as explained in Section 6.

Taxes

Any all-terrain vehicles purchased from a dealer or retailer are subject to state and applicable local taxes regardless of the purchase price. Used all-terrain vehicles purchased from an individual for **OVER \$3,000** are subject to all applicable taxes. State and local taxes will not be collected on used all-terrain vehicles purchased from an individual for **\$3,000 or less**.

ATV Equipment Requirements and Restrictions/Regulations Regarding Where an ATV may be Operated

For information regarding equipment requirements and restrictions/regulations regarding operation of an ATV, please refer to the Missouri Revised Statutes, Sections 307.198 and 304.013.

Titling Requirements for Dirt Bikes

If a vehicle does not meet the definition of an all-terrain vehicle, a motorcycle, motortricycle, or a motorized bicycle, **it is considered a “Dirt Bike” and must be titled**. A 1982 Missouri Supreme Court decision ruled that for the purposes of collecting sales tax, a dirt bike is a motor vehicle. Therefore, it is subject to the tax provided by Section 144.070, RSMo. However, a dirt bike may not be registered for highway use, unless it is modified to meet all safety requirements and pass a safety inspection. For additional information on titling requirements for dirt bikes, please call (573) 751-4509.

Manufactured Homes

Missouri law 700.320, RSMo provides that the owner of any new or used manufactured home must apply to the director of revenue for a certificate of title within 30 days of purchase. This excludes registered manufactured home dealers and purchasers who convert the manufactured home to real property.

Titling a Manufactured Home

To title a manufactured home, the owner or purchaser must submit an application for Missouri title, the appropriate ownership document, and all required fees.

Ownership documents may be in the form of:

1. A Manufacturer's Statement of Origin on all NEW manufactured homes; or
2. A certificate of title or a descriptive bill of sale on all USED manufactured homes.

NOTE: A bill of sale may only be used if the purchaser/seller is from a non-titling state or if a Missouri seller provides the purchaser with a statement from the seller's county assessor stating the manufactured home was previously assessed as real estate.

Taxes - New Manufactured Homes

All new manufactured homes transferred on a Manufacturer's Statement of Origin are subject to state and local taxes to be collected by the dealer based on the **selling dealer's address**. The applicable taxes are assessed on 60 percent of the purchase price of any new manufactured home purchased on or after August 28, 1994. The remaining 40 percent of the purchase price is considered the sale of a service and, therefore, exempt from sales tax. Example: If the new manufactured home sells for \$20,000, the dealer will only collect tax on \$12,000. $\$20,000 \times 60\% = \$12,000$. An applicant must submit proof that taxes were collected by the dealer when applying for title. Proof may be submitted in the form of an invoice, purchase order, or bill of sale. If taxes have not been collected by the selling dealer, the applicant must remit the taxes to their local license office or the Driver and Vehicle Services Bureau, P.O. Box 100, Jefferson City, Missouri 65105-0100.

Taxes - Used Manufactured Homes

All used manufactured homes previously titled in Missouri and transferred on a certificate of title are not subject to applicable taxes, provided taxes have been paid previously to the state of Missouri, regardless of whether or not the manufactured home is sold by a dealer or an individual.

Bonded Vehicle Title

All used manufactured homes transferred on an out-of-state title or a bill of sale are subject to the applicable use and local taxes on the **full** purchase price of the manufactured home based on the **purchaser's address** unless the purchaser can provide proof that taxes were paid to the state of Missouri previously on the manufactured home.

If a manufactured home is purchased from an out-of-state dealer or out-of-state individual, sales taxes are due at the rate of 4.225% unless collected by the out-of-state dealer. A local option use tax is also due when the applicant lives in a city/county that assesses the tax.

Title Penalties Assessed on Manufactured Homes

A title penalty will be assessed on any manufactured home not titled within 30 days after the date of purchase. A delinquent title penalty fee of \$25 for each 30 days of delinquency, not to exceed \$200, will be imposed.

Identification Number for a Manufactured Home

If a manufactured home does not have an identification number, a special number must be assigned. The applicant must have the manufactured home inspected by a member of the Missouri State Highway Patrol. The inspecting officer will complete an *Identification Number Verification* (DOR- 2763), verifying the manufactured home does not have an identification number. The applicant must forward the application for title, ownership document, verification form, proof of taxes paid (if applicable,) and fees to the Driver and Vehicle Services Bureau, P.O. Box 100, Jefferson City, Missouri 65105-0100. In addition to any title/processing fee and/or title penalty, the applicant must pay a \$7.50 fee for a DR number plate.

Section 301.192, RSMo provides for the issuance of a certificate of title for a bonded vehicle if the following requirements are met:

1. The motor vehicle or trailer is at least seven years old or older;
2. The value of the vehicle does not exceed \$3,000; and
3. No record of any prior application for title on the motor vehicle or trailer exists in the records of the department, or the records of the department reflect incomplete or conflicting documentation of ownership.

If the vehicle meets the above requirements, the purchaser of the vehicle may file a surety bond, see Exhibit G, equal to two times the value of the vehicle at the time the vehicle was obtained as determined by the Kelly Blue Book, NADA Used Car Guide, or two appraisals from motor vehicle dealers licensed by the department. The bond must be for a minimum of \$100 and will expire after three years unless the department has been notified of pending action taken against the bond.

To obtain a title for a bonded vehicle, the owner of the vehicle must complete an *Application for Missouri Title and License* (DOR-108), and submit it to the Driver and Vehicle Services Bureau with the following:

1. A statement explaining how the bonded vehicle was acquired and the reasons a valid certificate of ownership cannot be furnished;
2. All evidence of ownership in the applicant's possession;
3. Title verification from the state in which the vehicle was previously titled or registered, if known, (applies only if no Missouri title record exists);
4. A notarized lien release from any lienholders of record;
5. A *Vehicle Examination Certificate* (DOR-551) completed by the Missouri State Highway Patrol or the St. Louis City or County Auto Theft Unit;
6. An *Odometer Disclosure Statement* certifying the odometer reading of the motor vehicle unless the vehicle is exempt by law;
7. A surety bond or a suitable financial security agreement equal to two times the value of the vehicle. Exhibit G may be used for this purpose; and
8. The applicable title and processing fees and state and local taxes, based on the value of the vehicle.

NOTE: State and local taxes will be based on the value of the vehicle as disclosed in the surety bond.

Thirty days after receipt of the application, supporting documents, and applicable fees, the director of revenue shall issue a new title branded with the words "BONDED VEHICLE."

Repossessed Placards

Missouri law 301.144, RSMo provides that repossessed placards may be issued to insurance companies, finance companies, banks or trust companies who repossess motor vehicles or trailers. The repossessed placard must be displayed on the rear of the motor vehicle or trailer and shall only be used for demonstration purposes. The original owner's license plates cannot be used to operate the vehicle.

To obtain a repossessed placard, you must submit:

1. *An Application for Repossessed Placards* (DOR-2510), Exhibit H, completed and signed.
 - a. The application must indicate the legal business name of the applicant. (A repossessed placard will not be issued in an individual's name.)
 - b. The complete business address must be shown.
 - c. The applicant must sign the application and indicate his or her official position in the company.
2. A signed statement certifying Missouri Financial Responsibility.
3. A check or money order made payable to the Department of Revenue for the \$50 original placard fee and \$10.50 for each additional placard requested.

Replacement Repossessed Placards

If a repossessed placard is lost, stolen, mutilated, or destroyed, the holder may apply for a replacement repossessed placard and pay the required replacement fee of \$8.50 per placard. The *Application for Repossessed Placards* (DOR-2510) must be completed as follows:

1. In addition to all owner information, the reason for replacement repossession placard(s) must be shown.
2. The placard number(s) to be replaced must be shown.
3. The applicant's signature must be properly notarized. The notary information must contain the date notarized, date commission expires, notary's signature, and seal impression.

An Application for Repossessed Placards or repossessed replacement placards must be sent to Driver and Vehicle Services Bureau, Dealers Licensing Section, P.O. Box 43, Jefferson City, Missouri 65105-0043. Allow two weeks for delivery of the repossessed/replacement placards.